

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Civil Action
No: 21-cv-12081-NMG**

**COMPLAINT OF VIKING POWER, LLC
FOR EXONERATION FROM OR
LIMITATION OF LIABILITY,
CIVIL AND MARITIME**

ORDER DIRECTING ISSUANCE OF NOTICE AND RESTRAINING SUITS

A Complaint having been filed herein on December 17, 2021, by the above named Plaintiff, as owner of the M/Y MISS DUNIA (O.N. 1206081), for exoneration from and/or limitation of liability pursuant to 46 U.S.C. § 30501 through 46 U.S.C. § 30512 inclusive and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure for any and all losses, damages, and injuries allegedly sustained by passengers, crew, and other claimants, arising out of the incident on or about August 30, 2021, as more fully described in the Complaint.

AND Plaintiff, having stated that the value of Plaintiff's interest in the said M/Y MISS DUNIA is \$71,600.00 with no freight pending at the time of the incident as set forth in the Appraiser's Report of Michael Collyer sworn to on January 5, 2022.

Now on motion of Clinton & Muzyka, P.C., Attorneys for the Plaintiff, it is hereby ORDERED AS FOLLOWS:

1. The above-described Appraiser's Report, describing the M/Y MISS DUNIA (O.N. 1206081) with a Fair Market Value of \$71,600.00 and having no pending freight was approved by this Honorable Court on January 27, 2022.

2. A notice, in the form attached hereto, shall be issued by the Plaintiff on behalf of the Clerk of this Court to all persons asserting claims with respect to which the Complaint seeks limitation admonishing them to file their respective Claims with the Clerk of this Court in writing, and serve on the attorneys for the Plaintiff a copy thereof on or before **July 29, 2022** or be defaulted, and that if any Claimant desires to contest either the right to exoneration from or the right to limitation of liability, he/she shall file and serve on attorneys for the Plaintiff an Answer to the Complaint so designated, or be defaulted.

3. The aforesaid Notice shall be published in The New Bedford Standard Times newspaper as provided by Rule F(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and copies of said Notice shall be mailed in accordance with the said Rule F(4).

4. The further prosecution of any and all actions, suits, and proceedings already commenced and the commencement of prosecution thereafter of any and all suits, actions, or proceedings, of any nature and description whatsoever in any jurisdiction and the taking of any steps and the making of any motion in such actions, suits, or proceedings against the Plaintiff, as aforesaid, or against the M/Y MISS DUNIA or against any property of the Plaintiff except in this action, to recover damages for or in respect of any loss, damage, injury or destruction caused by or resulting from the aforesaid loss, occasioned or incurred on the voyage of the M/Y MISS DUNIA as alleged in the Complaint are hereby stayed and restrained until the hearing and determination of this proceeding.

5. Service of this Order as a restraining order may be made through the Post Office by mailing a confirmed copy thereof to the person or persons to be restrained or to the respective attorneys or alternatively by hand.

By the Court,

S. M. Boston, USDJ